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A D D R E S S E S

ON THE

DEATH OF HON. JACOB COLLAMER,

DELIVERED IN THE

SENATE AND HOUSE OF REPRESENTATIVES,

ON

**THURSDAY, DECEMBER 14, 1865.**



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IN THE SENATE OF THE UNITED STATES,  
THURSDAY, DECEMBER 14, 1865.

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*Address of Mr. Foot, of Vermont.*

MR. PRESIDENT: I rise to ask the Senate to suspend, for this day, its deliberations upon public affairs, that we may offer fitting and appropriate tribute to the character and the memory of one who has long been associated with us in the national councils, but who is with us now no more. Since our assembling here at this present session, we have all had occasion to remark—none of us can have failed to remark—the absence of one of our number; one whom we have long been accustomed to meet and to hold counsel with in these halls. An elder brother, who has long mingled with us in our deliberations here; a wise and discreet statesman; a learned and judicious counsellor; a pure patriot; a just and an upright man, has been removed from among us by the hand of death. A venerable form, long familiar to our sight, has been taken away out of our presence. I bring no new message to this

body—for it has already been heralded throughout the country—yet none the less sad, in making the formal announcement to the Senate of the death of my late colleague, Hon. JACOB COLLAMER. It is eminently fit and becoming, Mr. President, as it is also in accordance with an approved and sacred custom, that we pause for an hour in the ordinary routine of our daily labors, that we may consecrate that hour to the virtues and the memory of a deceased and lamented associate, who has shared so long and so largely in our regards and in the public confidence, for his mature wisdom and for his great moral excellence.

“Your colleague, Judge COLLAMER, is dead!” was the startling telegraphic message I received at my home about five weeks ago. He expired at his residence in Woodstock, Vermont, on the evening of the 9th of November past, after a brief illness of little more than a single week—at his own home, in the midst of his own affectionate and devoted household; in the full exercise of his intellectual faculties; with an abiding and unshaken faith in the Christian religion; and in the cherished hope of a blissful immortality.

But three weeks before his decease he visited Montpelier, the capital of the State, some fifty miles distant from his residence, to attend the funeral services of a younger and favorite brother. Having paid the last sad offices of respect and affection to a brother’s memory, he returned to his own home; but, alas! only to lay himself down so soon to die. By this dispensation, so sudden and so sad, the Senate of the United States has lost one of the oldest, most experienced, and most

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trusted of its members; the country, one of the ablest and purest of its statesmen; society, and the church of which he was a member, one of their worthiest and brightest exemplars; my own State, her most eminent citizen; and this day there is mourning through all her borders.

JACOB COLLAMER was born in Troy, in the State of New York, the 8th day of January, A. D. 1791, and was, therefore, at the time of his decease, in the seventy-fifth year of his age, and, in advancement of years, was the senior member of this body. In early childhood he was removed, with his father's family, to Burlington, Vermont. There his early life was spent; there he was educated; there his academic years were passed. He entered the University of Vermont at the age of fifteen, where he graduated in 1810 with credit and commendation for good conduct and scholarship, thus giving early promise and hope to his friends of future eminence and usefulness. This promise and these hopes were not doomed to disappointment.

Immediately upon the conclusion of his collegiate course, he entered the law office of the late Judge Aldis, of St. Albans, then an eminent and leading lawyer at the bar in the State. Having passed through the usual preparatory course of legal studies, he was admitted to the bar in 1813, and entered at once upon his professional career. After remaining a few months at St. Albans, and thence stopping for a year or two in the town of Randolph, he finally settled at Royalton, in the county of Windsor, where he resided during the whole period of his active professional career, and until he removed

to Woodstock, in the same county, in 1836, where he continued until the time of his death. Here his advancement in professional business and reputation was alike rapid and gratifying, and soon placed him in the front ranks of the leading men of his time at the bar. Forensic laurels, fresh and fair, gathered thick and fast upon his youthful brow, and he became at once the compeer, as he was the contemporary, of Prentiss and Phelps, and Royce and Bates; of Van Ness and Upham; of Skinner, and Hall, and Everett; and early took rank even with the senior and more advanced champions of the profession, like Daniel Chipman, and David Edmond, and Chauncey Langdon, and Horatio Seymour, and Charles K. Williams, and Dudley Chase, and Jonathan H. Hubbard, and Charles Marsh, and William C. Bradley, who had long held supremacy at the bar in our State. It was in a school of practice like this, it was in contact and collision with minds like these, that his own powers were quickened and invigorated, and in which he was early trained and disciplined to habits of close application and study, and which became the fixed habit of his life, and was, indeed, one of the chief elements of his success, and which enabled him to reach and to maintain the post of eminence and distinction, accorded to him by the popular judgment, in the front ranks of the legal profession.

During the period of his active professional practice, although his time and attention were chiefly engrossed in his professional duties, yet, besides holding for several years the local offices of Register of Probate and of State's attorney for the county of Windsor, he was at

four different times elected by the people of Royalton to the popular branch of the State legislature. He served through these several sessions, devoting himself, with his accustomed vigilance and fidelity, to the interests of his constituents and of the State, and took a prominent and influential part in the debates and the business of the body of which he was a member.

In January, A. D. 1836, and while then a judge upon the bench, he was a delegate from his town to the constitutional convention then holden at Montpelier, to consider and to act upon certain proposed amendments to the State constitution, the most important of which was a proposition to abolish the old "gubernatorial council," so called, and in its stead to constitute a legislative branch having co-ordinate powers with the House of Representatives, to be called the "Senate." This proposition was vigorously opposed in the convention, and brought out a protracted and perhaps the ablest parliamentary discussion ever had in the State upon any single question. The convention contained an unusual number of the leading and foremost men of the State. Judge COLLAMER led the debate in the affirmative of the question. The proposition was carried, and I feel myself authorized to say, mainly through his influence.

In 1833, and after a successful and even brilliant career at the bar of just twenty years, he was placed, by vote of the legislature, upon the bench of the supreme court of the State, a position for which he possessed peculiar and pre-eminent qualifications, and which he held by successive elections nine years, and until he was returned by the people of his congressional district

to the national House of Representatives. As a judge upon the bench, he added lustre to the reputation he had already acquired as a lawyer at the bar. He possessed intellectual and moral qualities most essential and requisite to the best discharge of the duties of a high judicial magistracy—a clear and discriminating mind, an impartial judgment, strong practical good sense, a profound and instinctive sense of right and wrong, patience of investigation, an inflexible integrity, and a sincere and earnest desire to reach a just and correct conclusion. He held the scales of justice, therefore, with a firm and even hand. All these qualities were brought into practical application, and were beautifully exemplified throughout his whole judicial career; and when he retired from the bench he laid aside the judicial ermine untarnished, and “without spot or wrinkle or any such thing.”

From the bench he was transferred by the voice of the people of his district to the United States House of Representatives, where he took his seat in 1843, succeeding Horace Everett, long a distinguished member of that body. By successive elections, he continued an active and useful member of the House, though most of the time in a small political minority, until March, 1849, when he was called to the cabinet of President Taylor, as one of his confidential and constitutional advisers, and placed at the head of the General Post Office Department. Under his judicious and energetic administration the vast and complicated machinery of that Department was brought into system and order and efficiency. He held this position until the death of

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President Taylor, in July, 1850, when, with all his associates in the cabinet, of whom the distinguished senator from Maryland, [Mr. JOHNSON,] now present, was one, he resigned his place, and returned, a private citizen, to his home in Vermont.

He was not long permitted, however, to remain in the quietude of private life. The people of his State still demanded his services in a public capacity, and in the following October he was chosen, by the legislature, Presiding Judge of the court in the judicial circuit in which he resided. He held this office through four years by successive legislative elections, discharging its duties with "all diligence and fidelity," and to the entire popular acceptance and approval, when in October, 1854, he was elected to the Senate of the United States, and he took his seat as a member of this body the first Monday of December, 1855. He was re-elected to his seat here in 1860 with an almost unprecedented degree of unanimity. He has been with us and of us just ten years. His course through all this decade, embracing, as it does, perhaps, the most important period in the history of the Republic, is familiar to us all—it is familiar to all the country. During this period, and on this forum, where grave questions of state; where questions of peace and war; where questions of foreign and domestic policy; where questions of trade and commerce; questions of finance and revenue and taxation; here where every variety of question pertaining to governmental administration is presented for consideration, for discussion, and for final determination—here in this forum, he has won for himself a national reputation, an

honorable and an enduring name as a learned and able senator; as a wise and discreet counsellor; as a judicious and upright legislator; in short, as a Christian statesman—and a Christian statesman, it has been well and truly said, is the glory of his country—who has borne himself erect and above reproach through all this career, and kept himself “unspotted from the world.” By the very constitution of his nature he revolted at every form and species of fraud and corruption, or of wrong and injustice. No man ever ventured to approach him with the offer of a price for his honor. Jobbers in iniquity came not into his presence. Purity of motive and integrity of purpose, unsullied and unassailed, were alike the law and the rule of his life, in public or in private action. All of us who have known him longest and known him best will, with one accord, concede to him the possession, in an eminent degree, of what Cicero commends as the *boni senatoris prudentia*—the “wisdom of a good senator.”

It is no less our duty, Mr. President, than it is our grateful privilege, in the midst of this sorrow, in this high place, and in the presence of the American people—if I may borrow the language of another on a like occasion—to pay the tribute of our recognition of the national loss in the removal of those to whom we have been accustomed to look, especially in times of doubt and difficulty, for direction and for counsel. Such a loss is the more deeply felt, occurring at a period like the present, when questions novel and of paramount importance, growing out of a new and changed condition of public affairs, are to be considered and determined—

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questions vital to the best interests of the country, and involving the highest welfare, and even the very integrity and faith of the government. The national heart has been laden with mourning and grief at the loss of many gallant and noble and patriotic sons of the Republic—numbering in its list of the mighty dead the chosen Chief Magistrate of your country—during this passing year now drawing to its close, to whom we were all looking for counsel and for guidance in these times of perplexity and trial. In the midst of these great bereavements we have only to bow in humble submission to the will of Him who chastiseth “not willingly,” and who “doeth all things well.” It is only left to us to cherish the memories of the good and great who have been taken from us; to imbibe the spirit of their teachings; and to follow on, so far forth as we may do it, in the light of their examples.

Like most of the distinguished men of our time, and especially of our country; like most of those who have risen to the high places of power and trust; like most of the men who stand at the head of affairs in the various departments of life, whether political, professional, literary, commercial, or other pursuit; like most of the men who in our day and country have made their impress upon society, and who have written their own history upon the times in which they lived—like these men, JACOB COLLAMER was emphatically the author and the arbiter of his own fortunes. He owed nothing at all to the factitious aids or the accidental circumstances of birth or fortune or family patronage. Under God he made his own fame and

his own fortunes. With his own hands he cleared the rugged pathway which led him up to the entrance door of the temple of honor and renown. He made his own good name, and made it known and honorable among men. With the advantage of a gifted mind, and with a resolute purpose to fulfil the great end of his being—the service of God and his country—by application and industry, by energy and perseverance, and an honest and an honorable life of well-doing, he formed his own character and won his own distinction, and left it as a rich inheritance to his children, and as an example to those who shall come up after him.

Other and like examples abound through all our history. So did Daniel Webster, in whom the son of an humble Salisbury farmer among the granite hills of New Hampshire becomes in after years, and by popular appellation, the “great expounder of the American Constitution;” the great American senator; *the great American statesman*, who stands, by the common recognition of mankind, as the intellectual monarch of his age. So did Abraham Lincoln—*clarum nomen*—the poor Kentucky boy; the martyr President, who, under God, had saved a country and redeemed a race; the martyr President, who having saved his country from the great rebellion of all history, and redeemed a race from the bondage of centuries, falling by the assassin hand of treason, went down to the grave amid a nation’s tears, and amid the requiem of a nation’s wailing, yet bearing with him to the tomb, more of the world’s affections, more of its sympathies, and more of its honors too, than were ever accorded to other man,

or prince, or potentate of earth; and whose highest eulogium is spoken in the universal lamentation. And so—I beg pardon, if in the least I offend against the proprieties of this occasion, or of this presence—so did Andrew Johnson, the humble mechanic from the mountains of North Carolina, who now, by the will of the American people, and by a providential dispensation, wields the power and challenges the homage of the First Magistrate of the nation, and on whose will or word to-day, more than of other living man, hang the destinies of this American Republic. These are great examples. These are illustrious examples. Our history is full of them. They are as beacon-lights along the dim and crowded pathway of human life. They are for instruction, for guidance, for encouragement, for inspiration to the rising and the coming generations of American youth.

“The fame which a man wins for himself is best;  
That he may call his own.”

JACOB COLLAMER was endowed with a rare combination of intellectual and moral qualities of a high order; a capacious mind, at once active, clear, and discriminating—a mind, too, in which the analytic powers and the reflective faculties were largely developed; and he was also gifted with a retentive memory. He was capable of fixed and continuous application of his mind to the examination and analysis of whatever question he took in hand. These faculties were all sharpened and strengthened by varied reading and acquirement, and by habits of careful study and reflection. He possessed, in a remarkable degree, the power of condensation, and

of arranging the various points or propositions involved in any subject under discussion, in the most clear and logical order, and which enabled him to present them with great force and perspicuity to the minds of others. He always secured respectful attention and deference to his opinions, whether in public debate or in private discussion, for the clearness and force with which he presented his views. He often enforced or illustrated an idea or proposition by the timely introduction of some apt and racy and often amusing anecdote.

If he was not always eloquent, he was always instructive. If he was not an orator in its ordinary acceptation, he was more and better than a mere orator. He was a reasoner—a clear and logical reasoner. He was an excellent talker—an excellent public as well as private or social talker. He had the faculty of making himself understood, and consequently of making his subject understood. He addressed himself to the reason and the understanding, rather than to the impulses or the fancies of men. It was his aim and his effort to convince the judgment by force of argument, rather than to move the passions by the appeals of eloquence, or to please the fancy by the beauties of rhetoric. If he had not the highest order of what, in popular phrase, is called genius, he had more solid common sense than any man of genius, and was master of its practical use.

A thoughtful and conscientious man, as he was, he spoke always and only from the convictions of his own judgment. His opinions, especially upon grave and important questions, were not hastily formed nor inconsiderately expressed, but only after the most careful and

mature reflection. Hence his opinions always commanded great respect and deference, and carried with them a corresponding weight and influence. His opinions, especially upon legal and constitutional questions, or upon questions of international law, were always received with profound deference and regard. His intelligent and independent judgment, his strong, practical good sense, and his unbending integrity of purpose, imparted to all his opinions uncommon weight and value.

His whole life, public and professional, whether at the bar or upon the bench, whether in a high executive department or in the halls of legislation, has been assiduously devoted to the cause of truth and justice. Few public men have left a more excellent or a more honorable record.

With his high intellectual endowments were happily blended the kindlier affections of the heart; and to all these were superadded the purer and holier graces of a Christian faith and of a consistent Christian life. In 1825 he made public profession of his faith in the Gospel of Christ, and united with the Congregational church in Royalton, then the place of his residence. Through all these forty years, his life, in all its varied modes, no less in the public than in the private walks of society; no less in the national councils than in the social and domestic circle; furnishes a practical and beautiful illustration of the beneficent influence and power of the religion he professed.

The loss of such a man is, indeed, a loss to the nation; it is a loss to the State; it is a loss to society. But we

have only to know that it is God's doing, and "be still." This bereavement I hardly need to say, Mr. President, falls with terrible and crushing severity upon an interesting and stricken family household. But I am not at liberty to enter the sanctuary of this grief. I may not lift the curtain which veils from public view, the deep sorrow which sitteth and weepeth there.

Mr. President, he whose death we now lament is gone to be with us here no more. His work on earth is done. He strikes a golden harp among the seraphim on high. His precepts and his example are left to us for our instruction and our profit. Happy, indeed, will it be if we shall so profit by them that we shall be ready, as he was ready, for the final summons, in that hour which is coming to us all—and to some of us is not far off—when this world and its worthlessness shall fade from our sinking vision.

Mr. President, I offer the following resolutions:

*Resolved*, That the Senate has received with deep sensibility the announcement of the death of Hon. JACOB COLLAMER, late a senator of the United States from the State of Vermont.

*Resolved*, That the members of the Senate, from a sincere desire of showing every mark of respect due to the memory of Hon. JACOB COLLAMER, will go into mourning by wearing crape on the left arm for thirty days.

*Resolved*, That, as a further mark of respect for the memory of the deceased, the Senate do now adjourn.

*Ordered*, That the Secretary communicate these resolutions to the House of Representatives.

*Address of Mr. HARRIS, of New York.*

Mr. PRESIDENT: It is not for Vermont to mourn alone; New York claims the privilege of standing by her side in this hour of her affliction, of bending with her in grief over the grave of her illustrious senator. He was the son of Vermont by *adoption*, of New York by *birth*. The elevated position he so long occupied, the extensive influence he so long wielded, the honor awarded to him by all, may justly excite the pride of both his native and his adopted State. A man of singular worth and rare virtue has been lost to both.

As senators, we may well unite in paying our tribute of respect to the memory of one so justly honored, and pause in our deliberations to bestow our homage upon one so justly beloved. The Senate has, indeed, lost one of its ablest statesmen, one of its purest patriots. In honoring such a man, we honor ourselves.

When we met in this chamber a few days ago, I am sure the thought was present to every mind that one of our number was not here; that one seat had been made vacant; that the oldest, the most experienced, and perhaps the wisest of our body, was gone. It is hard for us to believe that the venerable form so familiar to us here will no longer stand in our midst; that he who so lately was the object of our reverence has already been carried away into sepulchral darkness; that we shall never again listen to words of wisdom and patriotism from his lips. Those who knew him best will miss him most. In the Senate, where his counsels had been

so prominent, his death will be felt as no common bereavement. We do well to mourn his loss.

How frequently, Mr. President, we have been called to honor the Senate's dead, to pay the homage which friendship is ever prompt to offer to those who have been our associates in the nation's council! This is the eighth occasion, since I became a member of this body, when the Senate has paused to render its public tribute to the memory of its dead. The eloquence of Douglas and Baker is no longer heard in these halls. Bingham and Pearce and Thomson and Bowden and Hicks no longer appear in their wonted places. Thus, one after another, familiar faces disappear, and the great and the good pass from among us. But of them all, not one will be more missed from the Senate than he to whose memory we now pay the last tribute of affection and respect.

It is not my purpose to speak in detail of the life or the character or the public services of our lamented friend. To do so would be to repeat what has been so well and so beautifully said by the senator who has preceded me, in the eloquent eulogy to which we have just listened. He has traced the course of Judge COLLAMER from the earliest beginning of his career to his latest hour, showing how, by his energy, his intellectual power, and his moral worth, he reached the high position he so long occupied.

I did not know him, as did the senator from Vermont, when in the prime and freshness of his life. When we first met, the hand of time had touched him. But even then I saw enough to realize what he might have been

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when in the full maturity and vigor of his manhood. He had passed the allotted period of human life; yet even his latest years were devoted, with equal fidelity and success, to the service of his country, and to the last he continued to exhibit the fruits of a mind well disciplined by early habits of industry and well furnished with the rich stores of a long experience. In him were happily combined those elements which constitute a sound and judicious statesman. A man of great personal dignity, he was justly esteemed for the excellence of his judgment and the purity of his character. His most prominent characteristics were, I think, sound discretion, clear discernment, good common sense, and great honesty of purpose. No purer patriot ever participated in the councils of the nation.

He did not often occupy the attention of the Senate in debate, but when he did rise to speak he was sure to receive the most respectful and earnest attention. Such was the directness and force of his argument, so affluent were his resources, both of wisdom and experience, so minute was his knowledge of public affairs, that all present, senators and spectators, became eager and instructed listeners.

He had looked upon life with an observing eye. No man was more thoroughly conversant with the great interests of the country. His memory seemed almost exhaustless, and from its treasures he was ever ready to draw instruction for the benefit of others. It was, however, in his private and friendly intercourse that I learned most to admire him. I count it among the

felicities of my life that I was permitted to know him, and in some degree to enjoy his friendship.

But he has been taken from us in the midst of his usefulness. His sun went down in brightness; no twilight obscured its setting. When his appointed time had come, disease, "not tardy to perform its destined office," dismissed him from earth, and he has gone to his heavenly rest.

Judge COLLAMER was happy in the circumstances of his death. Of him it may be said, as it was of John Quincy Adams, that "no excesses of a profligate youth, no vices of middle life, had shattered and hurried to a premature dissolution the body in which his incorruptible spirit resided. Nothing in his habits of life interfered with nature, to whose gentle influences it was left to destroy gradually, and to restore in a good old age to its parent dust, the perishable part of our friend. The law of mortality, which knows no exception among the passing generations of our race, was executed in his case with as much tenderness and reserve, so to speak, as is ever permitted by Providence."

He was not left to be an object of compassion to his friends and admirers. No painful contrasts forced them to revert in memory to better days. But with a mind unimpaired, with an interest in life unabated, with a self-command which protracted sickness had not destroyed, he passed to his rest. Thus we pay our last tribute to the memory of one whose life has been long, and useful, and illustrious. In private life he was without reproach. As a lawyer, he was an ornament to his noble profession; as a judge, he was learned and up-

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right; as a senator, he occupied the front rank among the statesmen of our country. There may have been those whose career has been more brilliant and dazzling, but there have been few whose labors have been more useful, or who have secured for themselves a reputation more enviable or enduring. We all respected and admired him while living, and, now that he is dead, we render our sincere homage to his memory. Never again will he grace this chamber with his presence; never again shall we hear his voice. He has passed through the vicissitudes of a long and eventful life; he has met and manfully fulfilled the duties allotted to him upon earth. Death came to him in the ripeness of his years and his fame. No stain rests upon his honored name. His life was full of moral beauty; and with mingled feelings of reverence and love, we commemorate his virtues and lament his loss.

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*Address of Mr. JOHNSON, of Maryland.*

Mr. PRESIDENT: The loss of such a man as JACOB COLLAMER to the public councils at any time would have been deeply lamented. In the existing condition of the country the feeling is deepened, and the event justly esteemed a serious calamity. He had been so long in the public service, his course was so well known, the character of his mind so frequently and so favorably illustrated, his wisdom so uniformly exhibited, and during our recent perils, and the complications consequent upon

them, his patriotism as well as his wisdom was so conspicuous and comprehensive, that wherever his death became known it was recognized as a great national affliction. And so it is. Valuable as we, his associates especially, know were his teachings and example during the past four years, now that the shock of arms has ceased, the flow of fraternal blood arrested, and the authority of the government everywhere reinstated, there yet remain questions of great interest to be adjusted, upon which his advice would have been of great importance. From my intimate knowledge of him, I deplore his loss the more because I am satisfied that he would have greatly assisted us in so solving those questions as to make our Union more perfect than it ever has been—making it a Union supported by the hearts of the people as well as by the force of constitutional obligation. The measures calculated to effect at the earliest moment this great and priceless result require high intellectual and moral qualities—qualities so elevated as to be inaccessible to the weaknesses and prejudices which are often, to the impairing of their usefulness, seen to control even cultivated minds. It is from the general conviction that these qualities were possessed by our deceased associate, that the voice of regret at his decease was so general.

The universal sentiment seemed to be that under the guidance of wisdom such as his, all would be well; that his exposition of the policy suited to the vital difficulties of the hour would be so clear and statesmanlike as materially to influence the deliberations of Congress, inform and satisfy the public judgment, and hasten their

safe and speedy settlement. And well might this impression prevail, for to such a work the mind of Judge COLLAMER was admirably adapted. Nature had endowed him with excellent mental capacity, and he had cultivated it with great care and diligence. His knowledge of the institutions and history of our country was alike exact and profound. He had studied them not only in their details, but in their philosophy. He came, therefore, to the consideration of all measures of public policy with great advantages. Impressed with the conviction that our institutions, if administered as our fathers designed, contained every power necessary to secure individual liberty and the public welfare, he was, whether in war or in peace, for keeping every department of the government within the limits prescribed by the Constitution. To transcend these under any exigency he ever repudiated as inadmissible and dangerous. With a mind strongly conservative by nature and training, while doing full justice to the different opinions of others, he at all times opposed as a solemn duty measures or principles projected or maintained by any department of the government which he believed were unwarranted by the Constitution. This he exhibited in strong terms in his admirable and instructive speech of the 12th of February, 1862, on the Treasury-note bill. Referring to the doctrine of necessity as justifying or excusing the exercise of powers not delegated by the Constitution, he said:

"I do not know how other members of the Senate look upon the obligation of their oath to support the Constitution of the United States. To me it is an oath registered in heaven as well as upon

earth, and there is no necessity that, in my estimation, will justify me in the breach of it. I think those men who are now risking their lives upon the high places of the field to support the Constitution are not to be treated in this hall by us with the concession that we are ready, if the necessity calls for it, to break it. All that our rebel enemies are engaged in is the overthrow of the Constitution, and all that we are contending for is its maintenance and preservation."

In the debate, too, on the confiscation bill his view on an important question of public law is also illustrative of him. The doctrine he announced on that occasion, though not held by all statesmen of the present day, is now of great practical moment as well as of vital interest to thousands of our citizens.

Referring to the asserted obligation of the people of the South to submit to the authority of the *de facto* governments which prevailed there, and to the legal consequences of such submission, he observed:

"However loyal their feelings, a government *de facto* is over them. They cannot get away. They have nowhere to go. They have nothing to go with. What would you have a man there to do? What has this nation a right to demand of him?"

And among other instances, relying upon what he justly characterized as the "bright and high" example of Chief Justice Hale in taking office under the usurped government of Cromwell, he stated that in his opinion a citizen otherwise loyal did not commit treason by submitting to or even by holding office under a *de facto* government; and his concluding words upon this subject were these:

"Such, sir, is the respect paid by the world, and especially that part of the world from which we spring, to a *de facto* government,

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and the nations of the earth deal with them as governments, no matter what the usurpation."

I have no purpose, and certainly the present would be a very unfit occasion to indulge it if I had, to examine into the correctness of this proposition or its application to the late rebellion. The speech is referred to, as was the one before quoted, because it accounts in part, I think, for the impression so widely entertained that a conservative and enlightened statesman in the inscrutable providence of God had been taken from us at an epoch in our country's history when his services could not have failed to be of great value. But irrespective of all particular exhibitions of it, it was not surprising to those who knew Judge COLLAMER in advance that he proved so well fitted to the duties of the important positions to which his State called him. An habitual student, with a mind perfectly honest, with a long experience at the bar and on the bench of his own State, (a bar and bench ever distinguished for ability and learning,) he came to the councils of the general government thoroughly prepared to meet their highest demands, and this the result proved. From the first he ranked among the ablest of our jurists and statesmen, and continued to maintain that rank to the last. As long as the nine volumes of the Vermont reports of cases during his judicial career remain, the exactness and depth of his legal knowledge will serve to guide and inform the profession and promote everywhere the cause of enlightened jurisprudence; and while the debates of Congress during the period of his service in either branch are left, we who are yet here, and those

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who shall succeed us, will find in his speeches lessons full of instruction and replete with patriotism on almost every question of public policy or of constitutional law that can arise. In the purity of his life, too; the industry with which he discharged his various official functions; in his freedom from prejudice, his constant regard to the rights and interests of all the States, and in his uniform courtesy to his associates, we have an example at all times to be honored and followed.

Mr. President, it was my good fortune to have been associated with him, not only in the Senate, but for some fourteen months in the executive councils during the administration of General Taylor. Before that period I only knew him as a distinguished public servant; but in those months our relations became, to my great benefit and gratification, intimate, leading to a friendship which it is a great pleasure to me now to remember was never even for a moment disturbed. Those who are acquainted with his administration of the Post Office Department during that time know that it was in all respects admirable. Its vast and complicated business, throughout his administration, was never more ably conducted. I feel that it is unnecessary, in the presence in which I stand, to say more of his public career. No praise of it, however great, would those who have been with him in this chamber consider exaggerated. And for the same reason would it be idle for me to do more than to allude to his social qualities, for these we all knew and delighted in. The public business of the day ended, its cares dismissed, and private intercourse resumed, which of us does not

recollect that his conversation was always improving friendly, and entertaining? To allude to it even affords but a melancholy pleasure, as it so forcibly reminds us of the great private affliction we have sustained. But in our bereavement we are not without consolation. The sad evil did not occur until our friend had served his country most faithfully and well, and particularly during the last four years of its severe trial with unsurpassed ability and the purest patriotism.

It is a further consolation that it did not occur until the crisis of our nation's peril had favorably terminated; until the fratricidal blow aimed at its life by wicked ambition, proving for a time able to mislead the honest masses of the South, was so utterly defeated and crushed that its renewal is impossible, and until the authority of the Constitution and laws was restored and submitted to in every part of the land. Our consolation, however, would have been the greater if he had been suffered to remain until he could have seen established that stronger bond of union than Constitution and laws alone can give, which is to be found in mutual sympathy and affection; until he had seen us again, and more perfectly than ever, one people, acknowledging the same political principles, influenced by the same motives, and impelled by the same purpose of working out, under and by virtue of the governments of the Union and of the States, a prosperity and renown greater than we have possessed in the past, and, abandoning forever the heresy of secession, and abolishing the special institution, (the causes, direct or indirect, of the late convulsion,) resolved to make our Union, to

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which we owe all of our happiness, individual and social, that we have heretofore enjoyed or can hope for, not only firmer than ever, but, as far as human effort can accomplish it, make it perpetual.

If this additional privilege had been vouchsafed him by Providence, our departed associate and friend would, I believe, have left the world without other pang than that acute one which is inseparable from the sundering of domestic ties, (ties never stronger than in his case,) and in the full assurance, which takes from death its sting, and from the grave its victory, of that judgment in mercy which a firm belief in the truth of the Christian dispensation assures him who holds it will be awarded to a well-spent and religious life on earth.

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*Address of Mr. FESSENDEN, of Maine.*

Mr. PRESIDENT: Among the distinguished men who during the past ten years have occupied these seats, I regarded Senator COLLAMER as having no superior. He was not among those, if any such may be found, selected through his own skill in political combinations, in reward for party services, to advance the interests of personal followers, or on account of individual popularity. With great directness, not to say abruptness, of speech, extreme tenacity of opinion and purpose, and apparently a somewhat proportionate disregard of the opinions of others when differing from his own, he was not likely to gather around him and retain the attachment of a

party devoted to himself, or to interest large numbers of men in his individual success. Notwithstanding these obstacles in his political path, few among our eminent public men have been more successful in attracting and retaining the confidence and regard of the people among whom he lived, and inspiring with profound respect those with whom it was his fortune to be associated in the conduct of public affairs.

That this was so may be accounted for in some measure by the character of the people whom he so long and so ably represented, and in a still greater degree by the possession of intellectual and moral qualities which overshadowed all such trifling defects, if so they may be considered. The small but noble State of which he was a most distinguished citizen has long been accustomed to look for its official representatives among those most eminent for virtue in private, and capacity for usefulness in public, life. It has ever seemed to act upon the idea that public trust should be confided to the most faithful and public honors conferred upon the most capable and deserving of its sons. Thence it has followed, not only that its domestic affairs have been well and ably conducted, but that its weight in the councils of the nation has been largely disproportioned to the extent of its territory and the number of its people.

Mr. COLLAMER was the possessor of qualities which could not fail to attract the attention and to secure the confidence of a people able and disposed to estimate men at their true value. Though his love of approbation was largely developed, he was more anxious to

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deserve than to receive it. Ambitious to secure the respect of others, he never forgot that without his own it would be worthless. Gifted by nature with great quickness of apprehension, discriminating powers of a high order, a just thinker, an admirable logician, and withal a student both from taste and habit, he could not but become an able lawyer, more distinguished, perhaps, for the exactness of his professional learning than for the extent of its range. That learning, however, embraced all the subjects coming within the sphere of his practice and involved with the pursuits of those among whom he lived, and whose interests he was called upon to protect.

Carrying to the bench of his State such habits of study and thought, and such intellectual powers, and with them a most delicate conscientiousness, he could not be otherwise than an eminent and upright magistrate—eminent even among the able and learned men who, from its earliest history, have adorned its judicial annals, and given to American law character and renown. It is not, however, for me to speak of him at length either as counsellor or judge, inasmuch as I never happened to witness his efforts at the bar or upon the bench. Yet, though living in another and not an adjoining State, his professional and judicial reputation was such as could not be confined within the limits of his circuit, and his name had been familiar to me long before it was my good fortune to meet him where, upon a broader theatre, and at a great crisis in his country's history, requiring the exercise of the best

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powers of the human mind, he was destined to perform a most useful and honorable part.

Our lamented associate brought to the Senate, at the commencement of the thirty-fourth Congress, a rich experience in legislation, gathered in the halls of his adopted State and in the national House of Representatives. With a man like him, time never was suffered to pass unimproved. Intrusted with public affairs, to make himself familiar with all that pertained to them, to master the details of business, and to guard with vigilance the public interests, were to him solemn and religious duties. To this end he spared no labor however severe, and shrank from no task however burdensome. With such habits, and thus ripe in intellect and experience, he commenced his senatorial career, not, like many others, with everything to learn, but fully armed, master of his weapons, and ready for the great conflict upon which he was about to enter. Time never finds a great occasion without finding, also, earlier or later, the men fitted to meet it. Familiar with his country's history, learned in its laws, thoroughly imbued with its principles of government, in the best sense a patriot, thoughtful and wise in council, firm in purpose, and spotless in character, our associate and friend was admirably fitted to meet the duties of a perilous hour. How well and bravely those duties were performed we can all bear witness. Spared to see the clouds of civil war, which had so long darkened over his beloved country, finally dissipated, and the sun of peace rising in unobscured brilliancy, he passed away from earth too soon, as it would seem to our imperfect vision, and

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while very much to which his sagacity and prudence might have largely contributed still remains to be done.

Conspicuous in the debates of the Senate, Mr. COL-LAMER, though of prepossessing personal appearance and ready in speech, was not remarkable for oratorical power, and at no pains to ornament his discourse with rhetorical illustration. His remarks were always suited to the occasion, and confined strictly to the question in debate. Plain, simple, and unpretending in manner and style, always severely logical and master of his subject, he was invariably heard with attention, and with the expectation, never disappointed, that new light would be cast upon the question, however elaborately it might have been previously discussed by others. His speeches were well considered, but never assumed the shape of orations, carefully written out, adorned with rhetorical flourish, and "pointed with inverted commas." The closet was to him a place for prayer and thought, for forgiveness of injuries, real or fancied, and for the cultivation of good will to man, rather than a laboratory of vituperation, open or covert, whether of men or measures. Quick at repartee and somewhat impatient of interruption, his retorts were sometimes caustic, but had no tinge of malice. If their sting was felt it left no wound; while the rich vein of humor, which never failed, and an inexhaustible fund of apposite and amusing anecdote, always illustrative and most happily related, rendered his efforts alike interesting to a miscellaneous audience and instructive to his associates.

You and I, Mr. President, have long known and felt how delightful our lamented friend was in private and

social intercourse, how playful and genial was his wit, how fertile he was of anecdote, how keen of observation, and how instructive his conversation, both in lighter and graver moods. No one of his associates in this chamber can better than myself bear testimony to his kindness of heart, his readiness to impart information, and give the advantage of his learning and wisdom to those about him, whenever sought or needed. Seated by his side, session after session, for many years, I habitually asked his advice and sought his aid whenever embarrassed by doubt or difficulty. The patience with which he listened, and the ready kindness with which he responded, imparting from his rich store all that was needful, compelling me to make his thoughts my own, could not but secure my gratitude and win my affection. I venerated and loved the man as one regards an elder brother, upon whose superior knowledge and wisdom, and unselfish singleness of heart, he feels that he may in all emergencies safely rely; and I grieve for his loss as one laments the breaking of a link in that chain of life's pleasures which he feels to be growing shorter and shorter day by day.

At a period like the present, calling for so much wise experience and unselfish devotion in our national councils, the loss of such a man cannot but be severely felt. And yet, in the inscrutable ways of Providence, it well happens that the termination of no single life is ever permitted to produce more than a momentary ripple upon the great ocean of human affairs. Whatever impress the individual may make upon the time in which he lived is soon trodden out by myriads of ad-

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vancing footsteps. Other hands take up the unfinished work, and it goes on without any perceptible stay or interruption. The noblest ambition of man is, therefore, to perform well and faithfully the part assigned to him, and he is fortunate if content with what he may receive, and humbly thankful if spared responsibilities beyond his ability to bear. It may be truly said of our departed friend that he was true to his own conceptions of duty, both in public and private life. And if he was not without a love for worldly distinction and eminent place, that love was subordinate always to his convictions of right, and his highest aim was to serve faithfully, and to divine acceptance, as a Christian soldier, in the great battle of life.

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*Address of Mr. DIXON, of Connecticut.*

Mr. PRESIDENT: The Nestor of the American Senate has been called from the scene where his counsels have been so often heard, and his wisdom was so justly honored. Whatever of eloquence, of learning, of skill in debate, may remain in this body, the death of Judge COLLAMER leaves a void here which will not easily be supplied. Whoever aspires to fill his peculiar place, and exert a similar influence, must possess not only equal abilities and a character as pure, but a judgment enlightened like his by the lessons, and a mind stored with the fruits, of a long and varied experience.

If, in our estimate of the dead, we are sometimes

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liable to pass beyond the measure of a just appreciation, we may be assured that whatever language of eulogy is applied to him, we are in little danger of exceeding a correct judgment of his merits. In the Senate, and wherever else he was called to act, he was a man so marked and peculiar that his superiority in many striking respects was at once acknowledged. It was my good fortune to know him somewhat intimately; first in the House of Representatives, and more lately in the Senate. While he was conspicuous in both these positions among the celebrated and able men with whom he was associated in public affairs, there were certain qualities, intellectual and moral, in which he was not surpassed by any of the distinguished characters of his time. And, first of all, he was a just man. His integrity was a pervading and governing characteristic of his nature; which not only controlled his conduct, but shaped his sentiments and opinions, so that he seemed gifted with an unerring judgment of right and wrong. Enlightened by this high sense of justice, his reasoning faculties could scarcely fail in the attainment of truth; and for him to refuse its acknowledgment or resist its sway was an impossibility. Hence it was that in those intellectual processes for which he was so distinguished, he seemed never to be contending merely for polemic victory, but rather to be illuminating, by the light of his unclouded reason, the path which his controlling sense of justice compelled him to pursue. It was impossible to follow him in the steps of his irrefutable logic, without being struck by his perfect sincerity, as well as by the strength of his reasoning;

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and the arguments by which his own mind was convinced, seldom failed to convince his hearers. Thus as an advocate he compelled the assent of courts and juries to his propositions. But it was as a judge that he seemed in his peculiarly appropriate sphere. Here, his high sense of right and his unrivalled reasoning powers combined to render his legal judgments almost infallible; and the suitors to whom justice was dispensed by him seldom complained even of his adverse decisions.

To us our venerated and deeply-lamented friend was chiefly known by his punctual and constant attendance and his faithful labors in this body, in the business and debates of which he took a leading part. Here for many years we have listened to his words of wisdom, and have been guided by the light which he shed upon every subject which he discussed; yet I cannot recall an instance in which he exerted those great abilities, with which he was intrusted for the good of mankind, for the purposes of ostentation or self-display. The arts of eloquence he apparently little esteemed. These, with the graces of rhetoric and the felicities of expression, he left entirely to others, satisfying himself with a plainness of language, and often with a homeliness of phrase, which sometimes gave an added strength to his unanswerable reasoning. In the midst, however, of his closest argumentation, the flash of wit, the quaint stroke of humor, the apt and illustrative anecdote, would occasionally vary the current of thought and relieve the attention which might otherwise have been wearied by the severe and exact logic to which he usually so rigidly adhered. Nor should it be for-

gotten that, with all his power in debate, he was generous and considerate of others. No harsh or unkind word ever escaped his lips. He seldom indulged even in repartee, passing in silence any attack, real or supposed, upon himself, and applying his powers only to the subject-matter of his discourse. As he was respected, so he was respectful and courteous in debate, treating others with the same consideration and regard which all conceded to his own pure character and superior abilities.

In the truest and best sense of the word, Judge COLLAMER was a conservative. To conserve, to defend, to uphold and maintain the government, the Union, the Constitution, the laws of the United States—this was his constant effort, the mission and the labor of his life. He did not believe, however, that true conservatism consists in upholding ancient error, or persisting in wrongs because they seem by the lapse of time to have become irremediable, or by custom and usage to have grown inviolable. On the contrary, he thought that what is good in a government may best be defended and preserved by seeking the proper occasion to correct abuses and rectify mistakes. A genuine conservative, he was not the blind advocate of existing evils nor the stubborn apologist of the past. He knew when to yield to unavoidable vicissitudes, when to favor necessary changes, when to originate improvements and suggest alterations, as well as when to resist the visionary schemes of reckless innovators. He sustained no policy merely because it was old; he favored no measure merely because it was new.

I have spoken of Judge COLLAMER as he was seen in the performance of his public duties. There was another side of his character, in which the persuasive advocate, the inflexible judge, the wise and politic statesman, appeared in a more genial and winning light. In the unrestrained intercourse of private life and the flow of ordinary conversation there was a charm in his society which those who knew him intimately cannot soon forget. The judge and the senator were forgotten in the brilliant and delightful companion, the generous and sympathizing friend, the wise, the candid, the far-seeing man.

In the fulness of his years, after a life of usefulness and of honor, and in the assurance of a Christian hope of a blessed immortality, he has gone to his reward. Of those who survive him, of those who in coming years are to succeed him here and elsewhere, few can equal him in ability and in virtue. His intellectual and his moral traits partook of the antique mould, rather than of the modern type of character. Yet, though rare and peculiar, they are not imitable, and to the noble and aspiring youth of our country, whose hearts beat high with the love of civil liberty, and who are fired with a generous ambition to benefit and exalt the human race, they furnish an example worthy of earnest emulation and full of the highest encouragement. They may see him in youth studious, laborious, and virtuous; in manhood, exerting all his powers for the good of mankind; and in his ripened age, still in the full possession of his faculties, and conscientiously performing all his duties, crowned with

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public honors and the respect and affection of a grateful people. They may learn, also, from his life, that the greatest talents do not eclipse the higher and purer light of a truly Christian character; and they cannot fail to perceive the superiority of moral over intellectual greatness, when they observe that with all his pre-eminent abilities, the most striking characteristic of JACOB COLLAMER was his perfect integrity.

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*Address of Mr. RIDDLE, of Delaware.*

In sorrow for the necessity, with pleasure for the privilege which the sad necessity has created, I, too, Mr. President, second the resolutions before us.

Eulogy is not my forte. Obituaries are to me unpleasant. Eulogies I would not attempt; obituaries sometimes become an imperative duty. If perchance the one is blended with the other, it shows at least that the heart is holding such dominion over the mind as to impel utterance to honest sentiments.

In the death of JACOB COLLAMER, I think Vermont has lost one of her brightest jewels, the Senate one of its most courteous members, and the country one of its greatest statesmen. He was great in feeling, great in thought, great in principle, and great in action. He was not a Cicero, because he wanted, in some respects, Cicero's elocution; he was not a Demosthenes, because he wanted the oratory of Demosthenes; he was not a Cæsar, because he wanted Cæsar's ambition, obstinacy,

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and extravagance. He was a Gracchus—greater than Cicero—greater than Demosthenes, and greater than Cæsar, for all practical purposes in the Senate. The compeers of Calhoun, Clay, Webster and Wright, by his demise, are nearly, if not entirely, extinct.

But for the illumination of their minds, reflected by the archives of our country, we would be left comparatively in the dark to grapple with the difficulties which surround us; hence the greater the loss. Would that he had lived to aid in the great work of reconstruction which we are, I hope, about to inaugurate.

My first acquaintance with Mr. COLLAMER was in 1849 or 1850, when he was Postmaster General of the United States, the duties of which office he discharged with signal ability and general satisfaction. I do confess that the impressions which he made upon me at that time were different from those of later days, when we became better acquainted and more intimate. He was apparently an austere man, but there was as little of harshness or rigidity in his composition as of any man who ever lived. Honesty, dignity, and self-possession, prominent characteristics of the man, naturally created such an impression, and especially upon a young man who differed from him materially upon most political questions, and who was predisposed to oppose his administration. This apparent austerity in a measure separated us, but the union, like the welded link in the chain, only united us more strongly when made.

An epitome of his life I would gladly give you, but that has been furnished by his surviving and venerable colleague. It may, nevertheless, be proper for me to

allude—I trust it will be considered modestly—to his deportment as a senator, his position as a jurist, and his character as a statesman. Some men when they acquire the position of senator, (I use the word “acquire” without wishing it to be literally applied to the deceased,) seek popularity rather than labor to direct to proper channels the popularity which their good acts and position have created. This is the rock, mark my word for it, upon which Great Britain is bound to split. In other words, some men embrace the “isms” of the day—I use the manufactured word “isms,” not knowing any other so comprehensive—rather than breast the storm which such “isms” naturally engender, and which must ultimately destroy every vestige of republican institutions if persevered in. Judge COLLAMER was not of this class; and in this respect he must have elevated himself in the estimation of the honorable men of Vermont. He believed, and I think correctly, that if our ship of state was to be stranded, it would be by fanaticism, and the denial to the States of their reserved rights under the federal Constitution. His last speech before this body justifies me making such a declaration; but political expressions, or even expressions which lean that way, are not relevant to this occasion. I may, however, be permitted to add, that “his solid qualities as a man, and his evident desire to observe the right as a guide in political matters, won for him many friends, even among those who, like myself, differed from him essentially in the conclusions to which he arrived.” I have thus, Mr. President, merely briefly alluded to his views to show that a great

man can, to a great extent, shake off the shackles of party, be sustained by an honest constituency, and shine out, in the estimation of an enlightened world, as a patriot and statesman. Such was Judge COLLAMER. No senator ever doubted his honesty; no senator ever questioned his integrity; and when he arose to address you, Mr. President, he was recognized, as he should have been, over many of us, in consequence of his age, experience, ability, and acknowledged statesmanship. If this be a compliment, God grant his friends may duly appreciate it.

I speak, sir, perhaps, apparently with too much feeling, but it fortuned I was his companion upon his return home after the adjournment of the last Congress. I may say that during our last journey I learned to know him better, and, if possible, respect him more. I knew he was unfamiliar with selfishness. His laudable ambition was satiated. His country, with which I may say he was born, was his adopted child. He had grown up with it. In boyhood he fought its early battles; in manhood he contended for its institutions; and in old age, when death was dawning upon him, he enunciated the noblest principles of his life, and the only principles which can save this government. I leave to senators and the country to judge what these principles are.

Before to-day I did not know Judge COLLAMER's religious views. I knew he was spiritually inclined, and I believe no man can be great without such inclination. It is the germ from which true greatness grows, cultivate it as you may. It enlarges the heart, brightens the intellect, and gives true nobility to the soul. It is

equally certain that many assume it for base and mercenary purposes, and they are the pests upon society; but Judge COLLAMER, I may say, and let the remark not appear sacrilegious, it assumed. He was honest enough to admit his errors; bold enough to confront his enemies; conscientious enough to concede his faults; and humble enough to pray to his God for forgiveness.

During the journey to which I have alluded I advanced the idea that although man was mortal, government, the creature of man upon this earth, properly regulated, might become immortal; that morality and love for the neighbor were the essential attributes of lasting power and sovereignty, and that sovereignty maintained under such instincts would become immortal. To this the judge partially dissented, but expressed a desire to read a work upon the subject, a copy of which I sent him a few months before he died.

He also expressed a desire to read the works of Emanuel Swedenborg, whom he considered as one of the greatest men and writers of his age; but feeling, as it were, that his days were numbered, he said to me in a suppressed tone, "It is too late to commence such an undertaking." Thus we parted, and parted forever, unless to meet in the same mansion in another and better world.

May the Green Mountain boys of Vermont decorate his grave with the verdure and natural grandeur of their hills; and may the constitutional principles which he enunciated and advocated be indelibly impressed upon their minds! I would want this, to use a paradox, be an unwritten inscription upon his tomb.

*Address of Mr. SUMNER, of Massachusetts.*

Mr. PRESIDENT: Since Henry Clay left this chamber by the gate of death, no senator has passed that way crowned with the same honorable years as Mr. COL-LAMER; nor has any senator passed that way whose departure created such a blank in the public councils, unless we except Mr. Douglas. He was our most venerable associate; but his place here had not shrunk with time. He was, when we last saw him, as important to our debates and to our conclusions as he had ever been. He still possessed all those peculiar powers of argument and illustration, seasoned with a New England salt, which he had from the beginning. He was not so old that he was not often the life of the body.

When he came into the Senate, it was after long and various experience as lawyer, judge, representative in the other house, member of the Cabinet, and then again as judge, in all which characters he had been single, pure, honest, faithful, and laborious. Though little of a traveller, he had seen much. He had also read much, and he had done much. But all the results of observation, study, and action had so passed into his nature as to become a part of himself. If he expressed an opinion even on law, it seemed to come from himself, and not from books. He was the authority. And yet he was fond of books, whether in his own profession or in other departments of study.

His fidelity assumed the form of accuracy in all that he said or did. He spoke accurately, and he was

especially accurate with his pen. Perhaps nobody was apter in the style or language of legislation. He was an excellent draughtsman, although, without doubt, too professional for a taste not exclusively professional—indulging in traditional phrases and those favorite superfluities of the lawyer, *said* and *aforesaid*. The great act of July 13, 1861, which gave to the war for the suppression of the rebellion its first congressional sanction, and invested the President with new powers, was drawn by him. It was he that set in motion the great ban, not yet lifted, by which the rebel States were shut out from the communion of the Union. This is a landmark in our history, and it might properly be known by the name of its author, as “Collamer’s statute.”

All who ever sat with him in the committee-room will long remember the carefulness with which he gave his counsels and the completeness with which he explained them. Perhaps his wisdom and facility in business were nowhere more manifest. I seize this occasion to confess most gratefully my own personal obligations to him in this interesting relation.

The same character which appeared in the committee-room showed itself in conversation, enlivened by a constant humor. He, too, had his “little story” for illustration; but in this respect he differed from the late President as one of his own Vermont mountains differs from an outstretched and laughing prairie of the west. In manner he was Socratic. The curious observer, fond of tracing resemblances, might fancy that in the form of his head, and even of his person, he was not unlike the received image of Socrates; while his

colloquial powers might recall Socrates again, as he is pictured by the affectionate Xenophon, "handling all who conversed with him just as he pleased." He had also the same antique simplicity, and I doubt not he would have followed the wise man of Athens bare-foot in the waters of the Ilissus. I would not push this resemblance too far, and I use it only for illustration, not for parallel. And yet, as I bring to mind our departed friend, he seems to assume this classical figure. Call him, then, if you please, the Green Mountain Socrates.

Debate, except on the highest occasions, is only conversation in public. With him it was conversation always. He spoke, as he conversed, with the same pith and humor, and with the same facility. But his facility did not tempt him. In this gilded amphitheatre, where the speaker is sacrificed to the galleries, as of old the gladiator was sacrificed to make a Roman holiday, he declined all display, and simply conversed; and such was the desire to hear him, that we gathered near to catch his words. He was not a frequent speaker, and he never spoke except when he had something to say; nor did he speak for effect abroad, but only for effect in the debate. Of course, he was too honest and too considerate of the Senate to speak without the preparation of reflection and study. Though at times earnest, he was never bitter. He never dropped into the debate any poisoned ingredients.

Sometimes he spoke with much effect, especially on matters of law or finance, or business. On the great question which for a generation overshadowed all others,

and finally wrapped the country in the "living cloud of war," he was sincerely anti-slavery, but with certain short-comings, which in this impartial tribute ought not to be concealed. His lenity toward our monster enemy showed itself unconsciously when he spoke of malignant rebels as "those southern gentlemen who had seceded;" and then again when, at an earlier date, he spoke of "two civilizations;" but he bore kindly the reply that civilization was only on one side. And yet on two occasions in this chamber he strove for the right very bravely, so that his position was historic. One of these was many years ago, shortly after he came into the Senate. The other was only last year. The historian and the biographer will describe these scenes. One of them is the fit subject of art.

The earliest of these occasions was when, under the influence of the President of that day, backed by Jefferson Davis in the cabinet, an illegal government was set up in a distant Territory, which, in defiance of the people there, proceeded to institute an infamous Black Code borrowed from slavery. The President countenanced the illegal government and smiled upon the Black Code. The representatives of slavery in both houses of Congress, with their northern allies, indifferent to human rights and greedy only of political power, sustained the President in his disregard of that fundamental principle of the Declaration of Independence that "government stands on the consent of the governed." The contest was unequal. On the one side was a struggling people, insulted and despoiled of their rights; on the other side was the President, with all the vast powers

of this republic, with patronage less than now, but very prevailing, and with a great political party which gave to him an unhesitating support. The contest reached this chamber. Naturally it came before the Committee on Territories, where happily the good cause was represented by JACOB COLLAMER, of Vermont. The interest increased with each day; and when the committee reported, a scene ensued without example among us.

The reports of committees are usually handed in and ordered to be printed; but now, at the impassioned call of a senator from South Carolina, the report of the committee, whitewashing incredible outrages, was read by the chairman at the desk of the Secretary of the Senate. The chairman left his seat for this purpose, and stood face to face with the Senate. For two hours the apology for that usurpation, which had fastened a Black Code upon an inoffensive people, sounded in this chamber, while the partisans of slavery gloated over the seeming triumph. There was a hush of silence, and there was sadness also with some, who saw clearly the unpardonable turpitude of the sacrifice. Mr. COLLAMER followed with a minority report, signed by himself alone, which he read at the desk of the Secretary, standing face to face with the Senate. Jesse D. Bright was at the time our President, but he had installed in the chair on that momentous occasion none other than that most determined artificer of treason and drill-sergeant of the rebellion, John Slidell, who sat behind, like Mephistopheles looking over the shoulder of Truth, while the patriot senator standing before gravely unfolded the enormities which had been perpetrated. Few who

were present then now remain; but none who were present then can fail to recall the scene. The report which Mr. COLLAMER read belongs to the history of the country. But the scene comes clearly within the domain of art. In the long life of our departed friend it was his brightest and most glorious moment—beyond anything of honor or power, whether in the Cabinet or on the bench. For what is office compared to the priceless opportunity, nobly employed, of standing as a buttress for human rights?

The other signal occasion, when he showed much of the same character, and was surely inspired by the same sentiment, was during the last year, when the illustrious President, who now sleeps in immortality, undertook, in disregard of Congress and solely by executive power, to institute civil governments throughout that region of the Union where civil governments had been overthrown—imitating, in the agencies he employed, the Cromwellian system of ruling by “major generals.” The case of distant and oppressed Kansas was revived. Who can forget the awakened leonine energy of the aged senator when, contrary to his custom, he interrupted another in debate to declare his judgment against the power of the President to institute permanent civil governments “to last beyond the war?” The dividing line was clear. The President might exercise a temporary military power, but Congress must lay the foundations of permanent peace. This simple principle was, of course, only the corollary of that rule of Jefferson, which has become one of the commonplaces of our political system, asserting “the

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supremacy of the civil over the military authority." The eggs of crocodiles can produce only crocodiles; and it is not easy to see how the eggs laid by military power can be hatched into an American State.

This interjected judgment was afterward developed in a speech, which for sententious wisdom and solid sense is, perhaps, the best he ever delivered. It is not long, but, like the Roman sword, it is effective from its very shortness. He spoke with the authority of years, but he spoke also with another peculiar authority, for it was he who drew the act of Congress which placed the rebel States under the ban. Positively, earnestly, and most persuasively he insisted that Congress should not abdicate its control of this question. His conclusion was repeated again and again. It was for Congress, he said, to say when that state of things existed which would entitle the rebel States to perform their functions as integral parts of the Union. It was for Congress to decide this question, and not for the President, except so far as the President unites in an act of Congress by his signature. And he asked, "When will and when ought Congress to admit these States as being in their normal condition?" To which he answers, "It is not enough that they stop their hostility and are repentant. They should present fruits meet for repentance. They should furnish to us, by their actions, some evidence that the condition of loyalty and obedience is their true condition again, and Congress must pass upon it; *otherwise we have no securities.* And I insist that the President, by making peace with them—if you please, by surceasing military operations—*does not alter their status*

*until Congress passes upon it.*" Then, again, filled with the thought, he exclaims, "The great essential thing now to insist upon is that Congress shall do nothing which can in any way create *a doubt* about our power over the subject." And still pleading against executive interference, he says, "I believe that when re-establishing the condition of peace with that people, Congress, representing the United States, has power, in ending this war, as any other war, to get some security for the future. It would be a strange thing if it were not true that this nation, in ending a civil as well as a foreign war, could close it and make peace by obtaining, if not indemnity for the past, *at least some security for future peace.*" This was the last speech of our patriot senator. It is his dying legacy to his country. Let all, from President to citizen, heed its words. The aspiration so often expressed to-day that he were now alive to take part in the restoration of the rebel States is fulfilled. He lives in his declared opinions, which are now echoed from the tomb.

Say not that I err, because here, at his funeral, seeking to do him honor, I exhibit him bravely standing front to front with executive power, wielded by a President who was instigated by Jefferson Davis, and then again bravely standing front to front with executive power, wielded by the gentle hand of Abraham Lincoln. In the first case it was to save an outraged people; in the other case it was to vindicate the powers of the people of the United States in Congress assembled to provide guarantees and safeguards against that wickedness and perjury which had deluged his beloved country

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with blood. Say not that I err, because now, at his funeral, anxious that his best actions should not be forgotten, I commemorate this championship. He is dead, but the good he has done cannot die. And hereafter faithful senators, struggling with executive power, will catch a new inspiration from his example. A bishop of the church tells us that "all is not lost while there is a man left to reprove error and bear testimony to the truth; and the man who does it with becoming spirit may stop a prince or senate in full career, and recover the day." Where this spirit has been shown—where an honored associate has earned this title to fame—I insist that it shall be made known. The battles of regiments are inscribed on their colors. I now inscribe on the colors of JACOB COLLAMER the civic battles which he fought. Swords of honor are placed on the coffins of lamented generals. I now place on the coffin of a lamented senator the simple truthful record of his acts.

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*Address of Mr. POLAND, of Vermont.*

Mr. PRESIDENT: I had intended not to occupy the attention of the Senate by any observations of my own upon this occasion. My distinguished colleague, who was for so many years associated in public life with Judge COLLAMER, not only in this, but also in the other house of Congress, was so eminently fitted, both in thoughts and words, to do justice to his fame and mem-

ory, and to express the deep regret and grief of the people of our State at his loss, that I did not feel at liberty to weaken what he might say by any feeble utterance of my own. The knowledge, too, that other distinguished members of this body, long associated with Judge COLLAMER, not only as senators, but in other high departments of the public service, would address the Senate upon the announcement of his decease, was an additional circumstance urging me to silence. But more mature consideration has brought me, within a very few hours, to a different determination, and to the belief that in justice to myself, as the successor of Judge COLLAMER to a seat in this branch of Congress, and to the people of the State which so highly trusted and honored him, my own feeble voice ought to be added to the general mourning over his lamented decease.

My colleague and other senators who have addressed us at the present time have far better knowledge of the career of my lamented predecessor, as a statesman and a member of the general government, than myself, for they were associated with him, and witnessed his daily labors in those great departments; while my knowledge was merely that of the people at large, derived from the published proceedings and debates, and the current history of public affairs. This reason alone is ample why I should not trespass upon a theme already so sufficiently and eloquently presented.

But the greatness and usefulness of my predecessor consisted not alone in his distinguished services to his State and nation in the two houses of Congress, and

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as a Cabinet minister. He was eminently distinguished as a lawyer and a judge; and in these respects I doubtless knew him better than any other member of this body except my colleague; and the few words I desire to say will relate mainly to his professional and judicial character and reputation. Professional reputation and fame, however well earned and deserved, (except at a few favorite points, and in the national tribunals,) are always local in their character, and extend little, if any, beyond the sphere of actual administration; hardly ever outside the lines of a State.

And the same is true of judicial reputation, earned upon the bench of the State courts, unless the judicial career of the recipient extends over an unusual period of time. The reason for this is sufficiently apparent from the fact that the professional and judicial labors of lawyers and judges are generally bestowed upon matters of mere private concern and individual interest, and, however important and useful to the parties themselves, excite but little interest in the public mind. Much the larger part of Judge COLLAMER's professional life had passed before I knew him personally, for he had been already three years upon the bench of our supreme court when I came to the bar in 1836. From that time until his retirement from the bench in 1842 I was a practitioner before the court of which he was a member. During the short period that elapsed between his retirement from the lower house of Congress and his return to the bench in 1850, he resumed the practice of his profession; and during that time I was a member of the supreme court of the State. Under

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the new organization of the judiciary of the State in 1850, Judge COLLAMER was made judge of the second judicial circuit, and held that office until his election to the Senate in 1854. During this period I held the same office for the fourth judicial circuit, and it was during this time only that I was ever brought into very intimate personal relations with him.

I learn from members of the profession, who were contemporary with Judge COLLAMER in the earlier portion of his professional career, that his excellent natural abilities, together with his thorough and accurate knowledge of the law, obtained by close application and study; his diligence and faithfulness in attending to the interests of his clients, and especially his unswerving honesty and integrity, soon brought to him large professional employment, and that his sphere of practice and reputation steadily enlarged up to the time he left the bar for the bench. He was ever exact and thorough in his preparation, to the smallest details, and in the conduct of trials was always watchful that no proper presentation or argument beneficial to his client should be omitted. Nor did he ever fail to see and to avail himself of all proper advantage given him, either by the weakness of his adversary's cause or by any lack of professional skill shown in its support. But his practice of the law was honorable and manly; he never sought advantage for his client's cause by the use of craft and cunning, so often resorted to by less scrupulous members of the profession. But it was more in his character as an advocate that his peculiar and characteristic fairness was exhibited. He always presented

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every legitimate argument in favor of his cause forcibly and effectively.

But he never resorted to subtle and ingenious sophistries to disguise and conceal a dishonest cause or to entrap and bewilder the triers. His style and manner as an advocate, especially before juries, was peculiarly his own. His presentation of a cause to a jury was as cool, deliberate, and dispassionate as his argument of a dry question of law before the court, or a question of public affairs in the Senate. He never appealed to the passions or prejudices of his auditors, whoever they were, but sought always to move and convince their judgments. He abhorred and detested every form of deceit and falsehood in others, and despised the use of it himself.

Such an advocate was of course ever listened to with the highest respect, and his arguments received all that consideration to which his ability and candor so well entitled them.

Judge COLLAMER came to the bench a ripe, thoroughly trained lawyer. His popularity as a judge was all that could have been expected from a man of his talents and attainments. He was especially fortunate and gifted as a presiding judge at jury trials. His ready and accurate knowledge of the law, his keen and quick apprehension, his extensive acquaintance with men, and the motives and incentives to human conduct, and especially his strong and intuitive love of justice, enabled him at once to master a case, and detect the true from the false, and, without apparent effort, to make the truth of the case manifest to others.

His manner and deportment upon the bench were always kind and considerate; he listened patiently to even slow and plodding counsellors endeavoring to explain and illustrate what he already saw clearly.

He was ever prompt, fearless, and inflexible in his decisions, with nothing of timidity or favoritism, always so painful when exhibited on the bench. It is saying no more than the truth, that he was one of the most efficient and satisfactory *nisi prius* judges who have ever sat upon the bench.

His published opinions while a judge of the supreme court are models of judicial composition. For accuracy of learning, terseness of statement, clearness and comprehensiveness of style, I do not know where they are excelled.

Had Judge COLLAMER remained upon the bench to the end of his life, like Chief Justice Shaw, of Massachusetts, or Chief Justice Gibson, of Pennsylvania, I have no doubt his judicial fame would have equalled that of those eminent jurists.

I have no need to speak of the character of Judge COLLAMER in his more private and personal relations, or his rare and generous qualities and gifts as a social companion. All who were ever associated with him in any capacity will ever retain a loving remembrance of his kind and genial nature, his keen and pleasant wit, his love and fund of anecdote. His duties as a husband and father, as a citizen and Christian, were ever faithfully and conscientiously fulfilled.

In brief, sir, I have never known any man who came nearer attaining the full measure of what I believe to

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have been the great object of my predecessor in the performance of all the duties of life, from the humblest to the highest, to be a just man before God and his fellow-men.

The people of his and my State have ever held him in the highest respect; they mourn his loss in common with the whole nation, and they will ever cherish in their hearts the memory of his wisdom and his virtues.

Fortunate may each of us consider himself, if, at the end of the journey of life, he be able to leave behind him a reputation so full of usefulness and a character so pure and unsullied.

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The resolutions were unanimously adopted, and the Senate adjourned.

## IN THE HOUSE OF REPRESENTATIVES,

THURSDAY, DECEMBER 14, 1865.

A message from the Senate, by Mr. FORNEY, its Secretary, communicated resolutions adopted by the Senate relative to the decease of Hon. JACOB COLLAMER, late a senator from the State of Vermont.

On motion of Mr. MORRILL, the resolutions were taken from the table and read, as follows:

*Resolved, unanimously,* That the Senate has received with the deepest sensibility the announcement of the death of Hon. JACOB COLLAMER, late a senator of the United States from the State of Vermont.

*Resolved, unanimously,* That the members of the Senate, from a sincere desire of showing every mark of respect due to the memory of Hon. JACOB COLLAMER, will go into mourning by wearing crape on the left arm for thirty days.

*Resolved, unanimously,* That, as a further mark of respect for the memory of the deceased, the Senate do now adjourn.

*Address of Mr. MORRILL, of Vermont.*

Mr. SPEAKER: The resolutions just received from the Senate announce, what recurs with painful regularity, that death has again thinned our numbers, and that we, members of Congress, sooner, perhaps, than others in different walks of life, are doomed to an early dismissal from among the living. In this instance, it is true that our deceased friend, the late senator from

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Vermont, had reached fullness of years and of honors; but his constitution had been so admirably preserved, that those of us who had recently associated with him were glad to believe he had yet many years in store of useful and lustrous service. His sudden departure surprised the country and his colleagues as much as his own family, and he will be as sincerely lamented by the public as by his friends and relatives. It was my happiness to have been admitted to his intimacy; and I shall speak of him in terms of affection, my feelings not allowing me to do less, but at the same time, as he would himself have most desired, with entire justice.

Hon. JACOB COLLAMER would have been seventy-five years old had he lived until the 8th of January next, having been born at Troy, New York, January 8, 1791. With his father, a soldier of the Revolution, he moved to Burlington, Vermont, where he received his education, and graduated at the Vermont University in the class of 1810. After being admitted to the bar in 1813, he made a brief campaign in the last war with England, as a lieutenant of artillery in the detached militia of the United States service; and there was no portion of his history to which he referred with more pride. Having settled in Royalton, he represented the town, while successfully pursuing his profession, in the State legislature in 1821, 1822, 1827, and 1828; was member of the State constitutional convention in 1836, and was made associate justice of the supreme court of Vermont in 1833. He was continued on the bench until 1842, when he was elected a member of the

House of Representatives in the Congress of the United States. Re elected in 1844 and 1846, he was, at the expiration of his service in this house, immediately called to the Cabinet of President Taylor. Upon the death of the President, he resigned his place in 1850. The same year he was again placed as judge in the supreme court of Vermont, and so remained until 1854, when he was elected a senator of the United States for six years from 1855. At the expiration of the term he was re-elected. At his first entrance upon his duties in the Senate he was placed upon the Committee on Territories, of which Judge Douglas was chairman, and made the celebrated reply of the minority (March 12, 1856,) to the report of that distinguished gentleman on the Territories of Nebraska and Kansas. The compact statement of facts, the logical deductions therefrom, and the powerful condensation of the summing up at the conclusion, at once established his reputation in that body of which he became so marked a member. At the close of his career he held the position of chairman of the Committee on the Post Office and Post Roads, chairman of the Joint Committee on the Library, and was also a member of the Committee on the Judiciary. He received the honorary degree of LL.D. from the Vermont University in 1849, and from Dartmouth College in 1857. Suffering from a sharp attack of congestion of the lungs, induced by a cold caught while returning from the funeral of a brother, Senator COLLAMER died, from an organic disease of the heart, on the evening of Thursday, November 9, last, at his residence, in Wood-

stock, attended by the love and watchful solicitude of a devoted family, where the pastor of his church, on the following Sabbath, performed impressive funeral services, without pomp or show, and where the people of the town and the bereaved family, as the sun was slowly sinking in the west, followed him with tears and sorrow to his quiet tomb.

His constant elevation produced no change in the modesty of his demeanor, and there was no station, in this long recital of his public employments, which he did not fitly fill and adorn.

At the start in life, young COLLAMER was a Jeffersonian republican. Later, when parties assumed other names, he was a whig, and always distinguished for the thoroughness with which he examined all questions, for his moderation, for the courtesy with which he ever treated political opponents, and for his scorn, which he took no pains to conceal, of demagogues. Though stoutly maintaining his own predilections, he reviled with cruel words neither parties nor persons; and now, that his course is run, he is at peace with all the world.

As a judge, he was distinguished for swiftness in the despatch of business, for ability and stern impartiality, and for the perspicacity of his opinions, as orally delivered or as recorded in reports. While in office, though habitually urbane, he never forgot the gravity and dignity of his judicial position, which sometimes gave the impression of *hauteur* not actually felt. He was a good disciplinarian, and, therefore, occasionally curt, as when the time of the court was unnecessarily

consumed by illogical or irrelevant speeches; and the unfortunate members of the bar, or partial observers, may have thought he was sour and cold, when he was really, to those who knew him, a man of excellent humor, and as appreciative of merit as of demerit. While he had a full grasp and comprehension of the principles of law, his memory never failed to supply instances in which those principles had been illustrated and applied. Under his administration, jurors had little difficulty in the solution of nice questions of law and fact, however intimately blended: and the authority of jurors under his guidance and teachings suffered no depreciation, but their functions and capacity appeared to be vindicated upon every trial. In a State which has not been deficient in eminent jurists, including such men as Chipman, Chase, Van Ness, Phelps, Prentiss, and Williams, in the past, not to say anything of the living, the name of COLLAMER is, and will be, ranked as a worthy peer. He was an upright judge.

It will be remembered that the cabinet of General Taylor, in its high order of character and ability, has rarely if ever, been surpassed in the history of our country, and it was, in fact, what cabinets were designed to be, the wise council of the President. Among such distinguished associates it is fair to say the late senator was not dwarfed by contrast with any. In the discharge of the practical duties of his department he is still remembered by official veterans yet lingering there for his untiring devotion and intelligent application to that business of the government which comes to the knowledge and touches the daily accommodations of

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more persons than that of any or all other of the executive departments. By his report it appears that the excess of the revenues of the General Post Office over the expenditures in 1849 was \$400,000, but soon after it ceased to be even self-sustaining, presenting annual deficits until the present year. While Postmaster General he organized a division in his department to attend to all foreign mails, foreign postal arrangements, and ocean steamship lines. The existing postal treaty with Great Britain, at his entrance, just agreed upon, was carried out by him, and all the details for that purpose perfected. The various subsequent international postal arrangements show the wisdom of such treaties, and they are still executed in the department according to the original plan. The administration of the office while in the hands of Mr. COLLAMER met with no complaint, which is the highest compliment this extended and ever-extending department can achieve.

While in the Senate he commanded the confidence of all its members, and the measures he introduced were not only easily carried in the committees of which he was chairman, but when they were brought into the Senate nearly always passed without even a division. He participated in all the important debates, bringing those acceptable offerings which aid in the solution of subjects under discussion; and, without making any dazzling display, or aspiring to any domination, justly wielded a large influence over his fellow-members. If he was not their Mentor, there was no other senator whose counsel upon all subjects was more frequently sought, or more generously appreciated.

Nature had dealt liberally with him, having given to him a fine figure as well as a full and well-poised mind; and in his youth the graces of his person bespoke favor. In his age he not only spoke like a senator, but with the mastery of a piercing eye, that "spoke audience ere the tongue," looked like one, and, as such, his words were accepted as wise among wise men. In his conversation he led, when he led at all, with useful topics for discussion, and then pursued them with unflagging animation, not monopolizing all the time, but ever and anon showing himself an engaged and gentle listener, as ready to be pleased with the wit of others as with his own. An hour with him produced no impression of a sermon or a comedy, but his sense and humor were so commingled that those who enjoyed such intercourse felt that neither the one nor the other could have been more dignified and useful, nor more pleasant and exhilarating. To all his natural advantages, to all his varied experience, he added patient industry and force of character. He decided nothing by intuition—not looking for Jupiter to come to his aid from the clouds—but, helping himself, he always diligently studied subjects as they came up in all their parts and relations; so that his opinions, whether in the social circle, on the bench, or in the Senate, far from being crude or extravagant, were the fruit of wise reflection, and no man reasoned more independently, or was less afraid to stand alone.

Senator COLLAMER was not a wide and desultory reader, though well versed in history and standard literature—including many quaint and rare old books—

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but he was a very diligent and conscientious student of the books he loved, retaining forever any mastery he had once acquired over them, and among them none were more thoroughly read and inwardly digested than the Bible. A model in the regularity of his habits, modest and republican in his style of living—in his tastes as well as principles—he maintained a character of spotless purity in all the relations of life, public and private, and his own home was made happy by his presence. His piety was unaffected, and he was a regular attendant, wherever he dwelt, upon divine worship. He was liberal and public-spirited in proportion to his means, though an economical manager of his own affairs as he was of those of his country. In his own State at the time of his decease he was regarded as her foremost man, and his loss will be mourned by the nation as the loss of one of its great men.

I believe he desired to be regarded as a Christian statesman, and any terms added to these he would have considered as terms of diminution. He preferred to be quietly right rather than to be conspicuous and wrong. He sought to convince, not to be eloquent. He was impressive rather than impulsive. He appealed to the reason of men, and did not aim to excite their temper. He tried to make his audience understand the weight of the argument, not to please them with the beatitudes of rhetoric. The truths to which he gave utterance were calculated, in their naked simplicity, sometimes in their puritanic, gritty homeliness of phrase, to stand the tests of all time; but he took no care to embalm his works with the ornaments of the schools or the

spoils of literature, in order to win that fame which style often secures even to shallow thinkers. It was breadth of view, and not felicity of diction, he aimed at. He borrowed little from others. His intellectual structures were built of timber he had freshly cut and hewn on his own domains, redolent of the perfume of the forest, and were not piled up from dead drift-wood, quotations which float on the surface of learning, so tempting to merely literary wreckers. Though always bravely in earnest, and self-conscious of his power, he had no hot blood, teeming with a luxuriant progeny of hyperbole and fancy, but his unembellished words always kept on a level with his argument—clear, cogent, and inspiring the hearer with the idea that the speaker was wiser, freighted with more thought upon the subject, than himself. Knowing that the human mind wearies with long-continued attention, he was accustomed to enliven his speech with an occasional apposite anecdote, of which he possessed a wonderful opulence, but they were always chaste, and never delayed the argument. They were single flashes of wit, which shed light over the subject in hand, while the speaker and hearer were a long way further on in their journey. Though it was obvious that he had a keen relish for wit, he more worshipped the light which shines forever than the momentary brilliancy of the meteor, and was more truly great in the irresistible logic with which he was wont to intrench himself and bid defiance to opponents.

He scrutinized novelties, and was slow to exchange a present inheritance for future prospects. But, if he

was not an innovator, he was ready to sustain and defend any well-considered and substantial improvement. Conservative from natural temperament, as well as age and experience, he yet never was unwilling to strike at any tangible evil or governmental abuse.

The Constitution of his country he had read with profound attention, and, upholding it in all its parts, mainly in accordance with the school of Madison, he strove to be the guardian of the natural rights of the people, as well as the just authority of the government. He loved liberty and revered law. Loving his own State dearly, and watchful of all her rights, he never hesitated to subordinate her sovereignty to that of the nation. His merits in the Senate as a constitutional lawyer of ample learning and uncommon sagacity were cheerfully acknowledged there, and his fame, if it did not leap over, extended as wide as the boundaries of our country.

Though his views were usually in harmony with those of the people of his own State, the transcendent regard they had for him and his exalted character permitted him to differ with them upon some questions, as they felt, whatever differences there might be, that they were the result of patriotic and independent opinions of a full-grown man.

He abhorred war considered as a trade or profession, was jealous of the supersedure of laws by military rule, and had serious forebodings as to its influence on public morals; but he had large faith in the American people, in their intelligence and traditions; and, in responding to the wager of battle by a wicked and

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rebellious people, he was for the energetic and full exercise of the military power of the country. Chary of legislative weapons, he had no doubt at all of the efficiency of martial resources.

In the Senate others may have excelled him in learning, in genius, in sarcasm, in oratory, but no one surpassed him in stores of knowledge, in admirable clearness of statement, in lofty purpose, in direct and vigorous argument, nor in that combination of sound opinions which make the intelligent statesman.

Such a life—with no words his friends could wish to blot, with no acts that do not contribute to his praise, closing with his country's plaudit, "Well done, thou good and faithful servant," triumphantly closing with the Christian's hope in the resurrection—appeals to us by the force of its illustrious example, that we may so make up our final record that those who survive us may be able to say, as we do now, "Behold, with no remembered sins of youth, here are the splendors of an age, a long age of good works."

I offer the following resolutions:

*Resolved*, That the House of Representatives of the United States has received with the deepest sensibility the intelligence of the death of JACOB COLLAMER, late a senator in Congress from the State of Vermont.

*Resolved*, That the members and officers of this house, as a proper mark of respect for the personal character and long and faithful services of Hon. JACOB COLLAMER, will go into mourning by wearing crape upon the left arm for the period of thirty days.

*Resolved*, That, as a further mark of respect for the deceased, this house do now adjourn.

*Address of Mr. WOODBRIDGE, of Vermont.*

MR. SPEAKER: After the remarks of my distinguished colleague, who has so justly analyzed the character of the late Judge COLLAMER, it will not be appropriate for me to detain the House longer than to pay a tribute of love to the memory of my departed friend.

Judge COLLAMER was for many years a leading lawyer of Vermont. He looked upon law as the perfection of human reason, and studied it as the highest and most perfect science. Hence he spurned the garbage of the outer courts. He never touched the offals of the sacrifice, but worshipped at the inner shrine of the temple, whose architectural proportions are just; whose parts are orderly and harmonious; where justice is found married to law, and controversy guided by the spirit of truth, rather than the spirit of victory. By well-directed study he became one of the finest juridical scholars of the age, and when called from the bar to the bench sustained an equal rank with the scholarly and accomplished Prentiss, the metaphysical Williams, and the distinguished Phelps, whose legal powers were as measureless as those of Daniel Webster.

As a judge, Mr. COLLAMER was without fear and without reproach; and his opinions are models for their elegance and simplicity of diction, their unerring logic, and their freedom from any of that party bias which sometimes soils the ermine of the bench.

His career as a senator is known to the whole country. In the most distinguished body of the nation

he had no rival in spotless integrity and purity of character, and no superior in debate. It has never been my fortune to know a man who could state a proposition more clearly, and enforce it with more unerring and unanswerable logic, than Judge COLLAMER; and when he made an argument every senator knew that he spoke the honest convictions of his own enlightened judgment. In the great struggle through which we have passed he calmly waited the logic of events, or, more properly speaking, the indications of God, and then fearlessly urged the policy which he deemed to be right.

As a lawyer, as a judge, as a representative in Congress, as Postmaster General, as senator, he was always unwavering by private or party interests, and preserved a reputation as spotless as a child.

The crowning glory of JACOB COLLAMER's character was, after all, best exhibited at home. You all recollect the sweetness of his face. He seemed, as Sydney Smith said of Horner, to have the ten commandments written there. He was a devoted husband and father, a kind and generous neighbor, and in the highest sense of the word a Christian gentleman.

And now that he has gone, across the silent gulf which separates the living from the dead, the pleadings of his life are heard. It is for us to reverently listen. Let us imitate his virtues, so that when we are called to join our fathers it may be said of us, as it can be safely said of our lamented friend, the world is better that he has lived.

*Address of Mr. RAYMOND, of New York.*

Mr. SPEAKER; I regret to say, sir, that I am entirely unprepared to commemorate in any fitting terms the character and services of the eminent senator whose decease has been announced. Indeed, after what has been so well and so fully said of his life and public services, by those from his own State who knew him so thoroughly and who loved him so well, I feel that any extended remarks from me would be simply beside the proprieties of the occasion. But I trust the House will bear with me while, in a few words, I comply with the request of those of his own State upon this floor, that I would at least express my own sympathy with them in their loss, and my concurrence in their estimate of his character.

It was my good fortune to know the late Senator COLLAMER for many years last past. It was one of the most pleasing incidents of the annual festival of our university commencement, to those of us who were then in college, that he was to be present, as he was always present, when commencement day came round, to rehearse to us the history of the troubles through which he had to pass to achieve the education to which he attributed his success in life, and to give to us, as no one could do so well, those counsels and suggestions of which we all stood so much in need. I learned then to admire his character and to love him for his kind consideration toward us, so much his juniors, so ready, so eager always to profit by his example and his counsels. It was not my fortune in after life to know him inti-

mately. I used to see him only as we see each other in the casual meetings of public life; but the more I saw him the more I honored him, the more profoundly I respected the great gifts he brought to the public service, and the high moral considerations by which his public actions were always guided.

His mind was clear, acute, and strong. He never failed to discriminate accurately between all the views of every subject he discussed. His logic was clear and strong. There was nothing in his discharge of public duty that ever was low or narrow. He always rose to the level of every subject, and he did it without an effort, for the highest subjects were only on the level upon which his mind constantly moved. He was entirely free from the small ambitions and smaller jealousies that too often encroach upon the large generosities that alone give dignity to the details of public life. In everything that he did he consulted the dictates of his conscience. He acted in public, as in private, with a view to what he believed to be justice and truth, and the highest good of those in whose behalf he spoke or acted.

Senator COLLAMER was not much given to theorizing on public affairs. I think, if I have not mistaken the tendency, drift, and principle of his public action, that he looked upon government and the offices of government as experimental in their nature; and the question which guided his conduct was not, what ought to be done on the highest theory we can frame--“What would I do if I could have my own way in everything?” but, “What is the best thing, on the whole, which, under the present

circumstances, it is competent for us to accomplish?" He was, therefore, as far removed as possible from that class of public men whom the French are accustomed to designate *doctrinaires*. He was a practical, direct, straightforward statesman, in the largest and best sense of that great and noble word.

I think Senator COLLAMER, moreover, shared largely, perhaps was to a certain extent the cause of, that moderation, that steady conservatism in tone and temper, which has always characterized the noble State from which he came. It has always seemed to me that Vermont, more thoroughly and more truly even than any other State of the Union, presents a perfect model of a republican commonwealth. I know of no State certainly where I believe the great principles of social equality obtain a more thorough foothold than in that Green Mountain State. I know of none in which the personal and civil rights of every human being obtain a more prompt, a more thorough, a more cordial recognition.

And I should state, equally to the honor of that noble State, that she is always steady in her judgment of public affairs; and Senator COLLAMER shared her steadiness of judgment and action. Never carried away by the mere caprices or gusts of the public temper, he was still always profoundly respectful and deferential to that settled and permanent tendency and conviction of the public mind which, perhaps, is the surest test of political truth and expediency to which any person in public or private life can possibly refer.

Vermont, Mr. Speaker, has been fortunate in the

character of her public men, from a time beyond which my memory does not reach in her history. She has always had in her public councils men who conferred lustre upon her and gathered honor to themselves, by the manner in which they met every duty which devolved upon them. Some of their names, in various departments of the public service, have been cited by the honorable gentlemen whose words preceded mine. They are names that will live in history. They are names that reflect honor upon the professions with which they were connected. Vermont still has in the public service—in both houses of this Congress, in the diplomatic service of the country, in the press, and everywhere else where public action can promote the public good—men whose names will be remembered for the good they have done the world.

But among them all she has no name—and it would be the highest wish I could frame for her, that in some future day she might have some name—that will occupy a higher place in the respect of all who knew him, and a more profound position in the love and esteem of those who are immediately connected with him, than that of JACOB COLLAMER.

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*Address of Mr. GRIDER, of Kentucky.*

Mr. SPEAKER: I take pleasure in bearing some tribute of respect to the distinguished senator who has lately departed from this life. I had the honor at an early day, in this hall, to be associated with JACOB COLLAMER, and the honor of a personal acquaintance with him,

living with him in the same mess. I had opportunities at least of becoming acquainted personally with his temper, with his qualifications, and with his private and individual feelings, as well as with his public convictions, in the position he then occupied, and I felt that it was due to Judge COLLAMER to bear some testimony to that high appreciation which we always entertained as to his qualifications in every position in which the country placed him.

Judge COLLAMER was not a man of display. He needs no eulogy from any individual upon this floor. He has marked his character upon the records of his country. Long in public life, he proved himself competent and true and faithful in every position to which he was appointed. But I need not speak of his record. It is before the country. It is recognized with delight and pleasure, not only in his own neighborhood, but well understood and gratefully appreciated in the West.

Mr. Speaker, you have already heard delineated the variety of position which he occupied; and well may his friends appeal to the public records, and to the conflicts which have occurred in political life, and ask where Judge COLLAMER has been derelict, and when there was ever imputed to him any feeling but one of patriotic devotion to his country, and devotion to the highest interests of humanity.

Gentlemen who were familiar with him all know that he was not a man of rhetoric and poetry. He was a man of logic, of argument, of discrimination, of integrity, and of firmness. He studied what he said said what he thought, and executed his purposes with

regard, not to the approbation of men upon the right hand or upon the left, but with regard to that approbation which is better and higher than all—the approbation of his own conscience, in view of that eternal responsibility that awaits us all beyond the grave.

Sir, I loved JACOB COLLAMER. I have seen him in the social circle. I have seen him in the highest circles of this government. I had the honor to be a messmate of his when Taney and McLean and Story and a host of other distinguished men formed, as it were, a family circle. I heard their interchange of thought and conversation. I had an opportunity to contrast and determine the quality of Judge COLLAMER's mind and his attainments; and they were prominent and distinguished. He was always ready, always quick to discern, to discriminate, to enunciate, to illustrate; he was peculiarly favored in the quality of his mind for pointed, clear illustration.

But, gentlemen, as I have said, his history is upon the record. Let me make one remark as to his personal qualities. He was gentle and kind and affable to all around him—to the humble and poor as well as others. Judge COLLAMER had a hand of congratulation to give to every man whom he believed to be an honest man; and yet, while he was thus condescending and affable, he felt that he himself was a man in attainments, in consideration, and in importance, equal to the highest.

In the social circle no one was so interesting, so illustrative, with such a fund of anecdote and instruction, and so full of kindness and gentleness. Not an

angry word did I ever hear fall from him. But, gentlemen, allow me to say that, according to my convictions, we ought to estimate his character more from other considerations which have not, on my part, at least, been mentioned. He was not only a man of integrity and morality, but he was a Christian man and a Christian gentleman, and in this fact I trust his friends, and especially the home circle, may find the power of submission and ample sources of consolation. A Christian gentleman, as he was, his death, although it may be to his country and his family a bereavement and a loss, to him it was great gain.

I may be excused for stating a fact, for facts are illustrative of character more than words. When I had the honor to be in Congress—in the House—with Judge COLLAMER, we had a congressional prayer meeting. I remember distinctly that Judge COLLAMER, as a Christian gentleman, was uniformly there and participated in the devotional exercises. They were of frequent occurrence, and he used to attend, and Judge McLean, and a circle of the distinguished men of the legislature of that day. I have, therefore, the right to hope and to infer, and to cheer the disconsolate and the bereaved with the enunciation, that though he has left us, and his services are no longer ours, or his kind cheer for his family circle, yet to him it was but a glorious exchange, and in that exchange we may find the highest consolation, not only here in this hall, but everywhere throughout the country, and more peculiarly in the family circle, where, I hope, his wife and his friends may be cheered with the bright

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prospect that they shall, according to Christian principles, meet him again and recognize him as a purified angel—no more amidst the conflict and labors of human existence, but pure and holy and blest as the angels of God.

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*Address of Mr. ALLEY, of Massachusetts.*

Mr. SPEAKER: I rise to express my cordial concurrence in the resolutions now under consideration; and before the question is put, I wish to add a few words to what has already been said in honor of the memory of the distinguished senator whose decease has been announced.

To those of us who have listened, as many of us have so often, to his words of eloquence and wisdom at the other end of the Capitol, nothing which I can say can add anything to their appreciation of his great attainments, vast resources, practical wisdom, high character, and eminent usefulness. But to those who did not know him so well it may not be unimportant to hear, in addition to the fitting tributes already spoken, something more of the characteristics which so distinguished the able senator and patriot whose death we so deeply mourn, from another whose good fortune it was to know him somewhat intimately. It happened to me upon my first entrance into Congress to be placed upon a committee of this house, upon which I have served several years since, corresponding in name and duties with one in the other branch of

Congress, of which Judge COLLAMER was the head. It gave me a most excellent opportunity, as well as great pleasure, to witness, sometimes in counsel with others, but more frequently in private consultation, his excellent sense, sound judgment, practical wisdom, and incorruptible integrity. Few men comprehended so easily—in fact, I have scarcely met one that could elucidate so clearly and fully, the most abstruse and difficult propositions. His simple and clear statement of any subject was in itself almost a demonstration. The clearness of his perceptions was, indeed, truly remarkable. Without ostentation or display, he communicated his stores of knowledge and wisdom most cheerfully to willing and grateful listeners.

I have heard some of his associates in the Senate and scores of others remark that he was the wisest man in that august body. And all who knew him will agree that he was, at least, among the very best and greatest of those eminent men: and who could desire for his fame higher praise than this? But it was not as a senator merely, or the wisdom which he displayed as a legislator, which constituted his only or chief claim to high distinction. He had the reputation, as has already been stated, of being a great lawyer in no ordinary sense; for he was not only learned in the principles and technicalities of the law, but it is admitted that he understood and comprehended the true spirit of the law better and in greater degree than many of the most distinguished lawyers of the land. To say that one is a great lawyer in the highest sense, as was justly said of him, is to say that he was a great

man. I know that it is not unfrequent, upon such an occasion as this, for partial friends to indulge in exaggerated praise and high-wrought eulogium; but it is but simple justice to say of the late senator from Vermont that he was wise, pure, and patriotic in as eminent degree as any of the public men now upon the stage of action. And to a nice sense of justice he added a mature judgment in the consideration of all subjects, formed upon careful examination and reflection. He was amiable in temper, and that, together with an originating mind, stored so full as it was by study and culture, made him a great favorite of all with whom he came in contact. He attained great influence, not by frequent and much speaking, but by solid reasoning and dispassionate argument. He never relied upon anything for success but legitimate and argumentative appeals to the understanding alone.

Such was JACOB COLLAMER: the wise senator, the able statesman, the great lawyer. But he is gone, and we shall never behold him again on earth. How melancholy the reflection, that one so learned, so able, and so useful, and withal so beloved, should be thus removed from this great field of usefulness and honor, to be seen no more forever! Such lessons teach us how little of lasting enjoyment is to be found in struggles and toils for honor and fame, except the purpose of such efforts is to secure noble ends. Ambition for place and power, when inspired by a desire to accomplish the greatest good to mankind, is not unworthy the highest aspirations of the great and good. But how suggestive the thought and the truth that—

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"When fame's loud trump hath blown its noblest blast,  
Though loud the sound, the echo sleeps at last;  
And glory, like the phoenix midst the fires,  
Exhales her odors, blazes, and expires."

The frequent recurrence of such scenes as these admonishes us how slight is our grasp upon life, and that we, too, must soon be called from the labors and struggles of earth to render an account of our stewardship while here; and well shall it be with us if we shall be able to present as good a record, "when time with us shall be no more," for faithfulness and duty well performed, as fell to the lot of our departed friend.

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*Address of Mr. WENTWORTH, of Illinois.*

Mr. SPEAKER: I am unwilling that the West should be unheard on this occasion; and I have no other apology to offer for my remarks now except that I regret that some abler man from the West had not deemed that the privilege devolved upon him.

I entered Congress at the same time with Judge COLLAMER in 1843, and I had not long been associaed with him before I marked him as a man of signal ability, and destined to take that high rank which has been so unanimously accorded him. I concur in all the noble traits of character which the gentlemen who have so eloquently preceded me have enlarged upon. But there are some points which they have overlooked that I deem too prominent to be omitted and do justice to so great a man. He distinguished himself for his

kindness and fatherly care of the new States. While he scrupulously canvassed all our measures and opposed those which he deemed extravagant, yet he may have been considered a very liberal man to us, and I could mention many works of western improvement that stand out as monuments of his justice and foresight.

Judge COLLAMER was an economical man, and carefully investigated every claim that was brought before Congress, and those of his fellow-members who had not examined them never had any fears in following him if he only assured them that he had carefully examined the matter. He looked as I do upon economy, as one of the best safeguards of our government, and as one of the essential requisites of a statesman. He thought that no man should be more liberal of the public money than he was of his own. He viewed economy in public affairs as nothing more nor less than strict honesty. The same sterling economy which characterized him in the legislative department he practiced in the executive department. As Postmaster General he tolerated no extravagance; and when I have said this, I need not say his department was tainted with no corruption. And if the history of the Post Office Department is ever written, his administration will be noted as economical, cheap, and honest, and he will stand equal to, if not ahead, in this respect, of the purest men who have ever adorned the national Post Office.

As to his ability I have only to quote my own case to show what effect he was capable of producing upon minds that were even prejudiced against his views. I

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was here during the last inauguration ceremonies, and when I came here I had not the views that I now have with reference to the reconstruction of the States. I had a conversation with one of the ablest men in this country upon that subject, and, I might add, with a gentleman now occupying what I consider the highest position in this republic. His views and mine at parting did not exactly coincide. His last words were, "I would like to have you read the late speech of Senator COLLAMER, if you have not done so." As I had not, he took particular pains to send to his own library, and got for me the only copy he had, which he prized very highly, and trusted to his good fortune to get another. To that speech I owe the convictions which have dictated the votes which I have cast upon this floor. That speech convinced me, and I know no other way for a public man to vote than in accordance with his convictions, leaving the consequences, not to the dictation of selfish organizers of political parties, but to that Creator to whom a man is as much responsible for his official as for his private acts.

The gentleman from New York (Mr. Raymond) has told us that Judge COLLAMER was conservative. Until those words I had not made up my mind to address the House on this occasion. I deemed it my duty then to define Judge COLLAMER's conservatism. He was for preserving his government, and he was for destroying everything that stood in the way of commanding that government to the protection and blessing of Divine Providence. He was a conservative of the right and a radical destructive of the wrong.

The gentleman from New York might have said of him, that he was a radical conservative. He knew no expediency, he knew no policy, as against the equality of all mankind before the law; and that is the sense in which an immense majority of this house can be called conservatives.

The gentleman from Kentucky (Mr. Grider) spoke of Mr. COLLAMER as a conscientiously religious man, and he might have added that his religion was of that kind which made him believe, and carry into actual practice the belief, that men should be as equal before the bar of their country as they were before the bar of God. Judge COLLAMER met the black man on earth as he knew he would meet him in heaven.

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The resolutions of Mr. Morrill were then adopted.

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